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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Robert M. Perego

Confirmation No. 6247

Application No. 10/717,199

Filed: November 18, 2003

For: **DATA SET LEVEL MIRRORING TO
ACCOMPLISH A VOLUME MERGE/
MIGRATE IN A DIGITAL DATA
STORAGE SYSTEM**

Group Art Unit: 2185

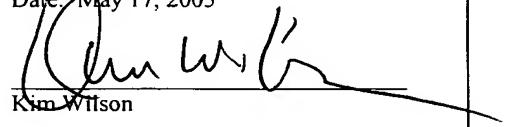
Attorney Docket No.: 70205/11:1

Date: May 17, 2005

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Date: May 17, 2005


Kim Wilson

TRANSMITTAL LETTER

TO THE COMMISSIONER FOR PATENTS:

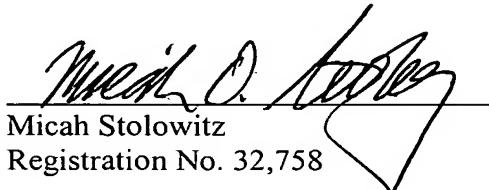
Enclosed for filing in the above-referenced application are the following:

1. Information Disclosure Statement
2. Form PTO-1449 (with copies of non-patent references)
3. Return-receipt postcard

Respectfully submitted,

Mainstar Software Corporation

By:


Micah Stolowitz
Registration No. 32,758

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INFORMATION DISCLOSURE STATEMENT

TO THE COMMISSIONER FOR PATENTS:

1. Pursuant to the duty of disclosure, applicant presents for the Examiner's consideration the documents listed on the accompanying Form PTO-1449.

Copies of listed documents are enclosed. (37 CFR § 1.98(a)).

Copies of listed U.S. patent documents are omitted because this application was filed after June 30, 2003 and is, thus, subject to image file wrapper processing. Copies of listed non-patent literature are enclosed.

Copies of the documents listed on sheet(s) _____ of Form PTO-1449 (or equivalent) are omitted because (1) they are already of record in U.S. Patent Application No. _____, filed _____, on which this application relies for an earlier filing date under 35 U.S.C. § 120; and (2) any information disclosure statement filed in the prosecution of Application No. _____, complies with 37 CFR §§ 1.98(a) through (c). (37 C.F.R. § 1.98(d))

2. The Examiner's attention is directed to the enclosed copy of copending U.S. Patent Application No. _____, filed _____, for _____, which is cited in this application.

3. This information disclosure statement is being submitted (check box a., b., or c.):

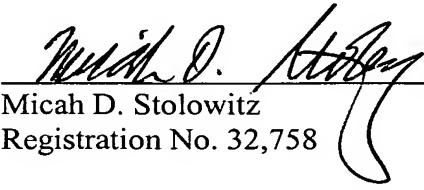
a. Within three months of the filing date of a national application or entry of the national stage in an international application; or before the mailing of a first Office action on the merits; or before the mailing of a first Office action after the filing of a request for continued examination under 37 CFR 1.114. (No statement under 37 CFR 1.97(e) is required.); or

- b. After the period set forth in paragraph 3a, but before the mailing date of either a final action, a notice of allowance, or an action that otherwise closes prosecution in the application. (Check box i. or ii.)
- i. A \$180.00 information disclosure statement submission fee set forth in 37 CFR 1.17(p) is enclosed, or
- ii. A statement specified by 37 CFR 1.97(e) is set forth below; or
- c. After the mailing date of a final action or notice of allowance and on or before payment of the issue fee. A statement specified by 37 CFR 1.97(e) is set forth below. Enclosed is a \$180.00 information disclosure statement processing fee set forth in 37 CFR 1.17(p).
4. If a statement specified by 37 CFR 1.97(e) is required, the attorney or agent signing below hereby states that:
- each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or
- no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement.
5. A concise explanation of the relevance of each document not in the English language and/or selected documents in the English language is set forth below

Respectfully submitted,

Mainstar Software Corporation

By:


Micah D. Stolowitz
Registration No. 32,758

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FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:
70205/11:1APPLICATION NO.:
10/717,199INFORMATION DISCLOSURE CITATION
(Uses several sheets if necessary)

APPLICANT: Robert M. Perego

FILING DATE:
November 18, 2003GROUP:
2185

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER								DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6	5	7	8	1	2	0		10 June 2003	Crockett, et al.	711	162	
	AB	0	0	1	0	0	7	0		26 July 2001	Crockett, et al.	711	162	
	AC	5	9	1	5	2	6	4		22 Jun 1999	White, et al.	711	168	
	AD	5	5	1	5	5	0	2		7 May 1996	Wood	395	182.13	
	AE													
	AF													
	AG													
	AH													
	AI													
	AJ													
	AK													

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER								DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
														YES	NO	
	AL	1	0	6	5	5	8	5		03 Jan 01	EPO	G06F	3/06			
	AM															
	AN															

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AO	
	AP	
	AQ	

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.